

ILLINOIS COMMERCE COMMISSION

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

ORIGINAL

Filing to Implement Tariff Provisions
Related to Section 13-801 of the Public
Utilities Act

Docket No. 01-0614

POST HEARING BRIEF OF
MCLEODUSA TELECOMMUNICATIONS SERVICES, INC.

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Dated: March 8, 2002

COMES NOW McLeodUSA Telecommunications Services, Inc. ("McLeodUSA") and submits its initial post-hearing brief in this matter according to the revised procedural schedule.

During this phase of the proceeding, McLeodUSA Telecommunications Services, Inc. ("McLeodUSA") presented the testimony of David R. Conn. McLeodUSA witness Conn identified the particular concerns that McLeodUSA has with the proposed tariff filed by Ameritech Illinois. In addition, Mr. Conn stated that McLeodUSA supported the proposed tariff filed by the Joint CLECs as sponsored by Joint CLEC witness Joseph Gillan. (McLeodUSA Ex. 1.0 at p. 3).

In rendering a ruling on any particular disputed issue in this docket, the Commission must heed the legislature's clear directive contained within Section 801:

The Commission shall require the incumbent local exchange carrier [Ameritech Illinois] to provide interconnection, collocation, and network elements in any manner technically feasible to the fullest extent possible to implement the maximum development of competitive telecommunications service offerings.

PUA Section 801(a).

McLeodUSA witness Conn explained how Ameritech was unreasonably interpreting Section 13-801(b)(1)(B), which states:

(b) Interconnection.

(1) An incumbent local exchange carrier shall provide for the facilities and equipment of any requesting telecommunications carrier's interconnection with the incumbent local exchange carrier's network on just, reasonable, and nondiscriminatory rates, terms, and conditions:

* * *

(B) at any technically feasible point within the incumbent local exchange carrier's network; however, the incumbent local exchange carrier may not require the requesting carrier to interconnect at more than one technically feasible point within a LATA

It is technically feasible for Ameritech to provision loops for a CLEC served by a remote switch site from the host switch in which the CLEC is collocated. Indeed, at the time Ameritech attempted to impose this new policy on McLeodUSA, McLeodUSA was serving customers via unbundled loops served out of a remote switch in which McLeodUSA was not collocated. Requiring a CLEC to collocate in remote switches merely serves to impose higher costs on the CLEC by adding a new layer of collocation costs. (McLeodUSA Ex. 1.0). The new Illinois law clearly prohibits this type of limitation and the many others contained in the proposed Ameritech tariff.

Ameritech's proposed tariff contains numerous deficiencies that several CLEC and Staff witnesses have described in their testimony during these proceedings. As stated in Mr. Conn's testimony, McLeodUSA supports the Joint CLEC tariff sponsored by Mr. Gillan, as amended during the hearing. By adopting the Joint CLEC's proposed tariff language, Ameritech will not be able to contravene that law by forcing CLECs to interconnect at more than one technically feasible point within the LATA.

Respectfully submitted,

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